

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Luke Michael Churchill

Docket No. 7:06-CR-100-1FL

Petition for Action on Supervised Release

COMES NOW John A. Cooper, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Luke Michael Churchill, who, upon an earlier plea of guilty to 18 U.S.C. § 2252(a) (4) (B) Possession of Child Pornography, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on October 16, 2007, to the custody of the Bureau of Prisons for a term of 95 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 180 months.

Luke Michael Churchill was released from custody on September 10, 2013, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant was sentenced by the court on October 16, 2007, and the court imposed several conditions of supervised release, one of which reads as follows: The defendant shall participate in mental health/sex offender treatment, evaluation testing, clinical polygraphs and other assessment instruments as directed by the probation officer. While under supervision in the Eastern District of NC, the defendant shall further abide by the rules and regulation of the NCE Sex Offender Program. The probation officer recommends the court strike the condition that the defendant shall abide by the rules and regulations of the NCE Sex Offender Program and in lieu thereof, impose the conditions listed below which have been individualized to meet the specific needs of this case. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer.
2. The defendant shall not associate or have verbal, written, telephonic, or electronic communications with any person under the age of eighteen (18), except: (1) in the presence of the parent or legal guardian of said minor; (2) on the condition that the defendant notifies the parent or legal guardian of the defendant's conviction or prior history; and (3) with specific, written approval from the U.S. Probation Officer. This provision does not encompass persons under the age of eighteen with whom the defendant must deal in order to obtain ordinary and usual commercial services (e.g., waiters, cashiers, ticket vendors, etc.).
3. The defendant shall not possess any legal or illegal pornographic material, including any materials depicting and/or describing "child pornography" and/or "simulated" child pornography as defined in 18 U.S.C. § 2256, nor shall the defendant enter any location where such materials can be accessed, obtained, or viewed, including pictures, photographs, books, writings, drawings, videos, or video games.

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4. At the direction of the U.S. Probation Officer, the defendant shall submit to physiological testing, which may include, but is not limited to, polygraph examinations or other tests to monitor the defendant's compliance with probation or supervised release and treatment conditions.
5. The defendant shall participate in a sex offender treatment program as directed by the U.S. Probation Officer, and the defendant shall comply with and abide by all the rules, requirements, and conditions of the treatment program until discharged. The defendant shall take medication as prescribed by the treatment provider.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

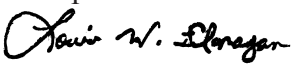
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ John A. Cooper
John A. Cooper
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2046
Executed On: July 14, 2016

ORDER OF THE COURT

Considered and ordered this 15th day of July, 2016, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge